

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kyung Chang on 9/16/2008.

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 9/16/2008, Ms. Chang requested an extension of time for 1 (one) MONTH(S) and authorized the Director to charge Deposit Account No. 02-2448 the required fee of \$120.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- In claim 1, lines 8, delete the phrase "type selected from a" and replace with --selected from the--.

Statement of Reasons for Allowance

The present claims are allowable over the closest prior art He et al (US 5,824,144), Mikami et al (JP 52-128927), and Symietz (US 4,507,421) for the following reasons:

The present claims are drawn to a powder coating composition comprising powder coating particle that includes thermosetting resin powder; an adhesive binder that is a terpene resin, terpene/phenol resin, terpene hydrogenated resin, or terpene/phenol hydrogenated resin; and a flake pigment bound to the surface of the thermosetting resin powder by means of the adhesive binder—wherein the powder coating particle has an average particle sizes of at most 100 microns based on D50 conversion and a bonding ratio between the thermosetting resin powder and flake pigment is from 90-100%.

He et al discloses a powder coating composition comprising an aluminum flake filler that is adhered the surface of a powder coating through a viscous layer. While He et al discloses a list of viscous layer materials such as polyester resin, petroleum distillates, solvents, and plasticizers, it fails to disclose or suggest the use of the presently claimed terpene-based resins.

Mikami et al discloses a powder composition comprising aluminum flake and powder coating base, wherein resin solution is used to bind the flake to the powder coating base. While Mikami et al discloses the use of thermosetting resins as binder, Mikama et al fails to disclose or suggest the use of the presently claimed terepene-based resins.

Symietz discloses a sealant composition and teaches known tackifying agents including terpene resins, however, it fails to disclose or suggest the use of terpene resins as an agent to bind flake pigment to powder coating resin powder. Given this, it would not have been obvious to

one of ordinary skill in the art to utilize terpene resins as the adhesive binder of He et al or Mikami et al.

Thus, it is clear that these references, taken individually or in combination, do not disclose or suggest the claimed invention.

In light of the above, it is clear that rejections of record are untenable and thus the present claims are passed to issue.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vickey Ronesi whose telephone number is (571) 272-2701. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9/16/2008
Vickey Ronesi

/V. R./
Examiner, Art Unit 1796

/Vasu Jagannathan/
Supervisory Patent Examiner, Art Unit 1796